

**02D01-2111-CT-000605**

Allen Superior Court 1

**Filed: 11/18/2021 2:37 PM**  
**Clerk**  
**Allen County, Indiana**  
**DR**

STATE OF INDIANA ) IN THE ALLEN SUPERIOR COURT  
 ) SS:  
COUNTY OF ALLEN ) CAUSE NO. 02D01-2109-CT-

PATRICIA DANIELS and LARRY )  
DANIELS, Individually and as )  
Husband and Wife, )

Plaintiffs, )

VS.

WALMART INC. d/b/a WALMART,)

Defendant. )

## COMPLAINT FOR DAMAGES

COUNT I

Plaintiffs, Patricia Daniels and Larry Daniels, for their first claim for relief  
state:

1. On May 6, 2020, Plaintiff, Patricia Daniels, was on the premises of the Defendant, Walmart Inc. d/b/a Walmart, located at 7502 Southtown Crossing, Fort Wayne, Allen County, Indiana, 46816, and fell as the result of a speedbump located in the pedestrian crosswalk.

2. The injuries and damages were the responsible result of the carelessness and negligence of agents and/or employees of the Defendant, Walmart, by failing to properly inspect and maintain its property in a safe condition,

improperly installing a speedbump in a designated pedestrian crosswalk and failing to warn of the danger.

3. The speedbump was under the management or control of the Defendant, Walmart, and Plaintiff's, Patricia Daniels, injuries and damages are of the type that would not have occurred with the exercise of proper care.

4. As a result of the fall, Plaintiff, Patricia Daniels, sustained physical injuries, which may be permanent, and suffered and continues to suffer" physical pain.

5. As a further result of the fall, the Plaintiff, Patricia Daniels, incurred hospital and medical expenses, and may incur such expenses and losses in the future, as well as the loss of a whole and useful life.

WHEREFORE, Plaintiff, Patricia Daniels, demands judgment against Defendant, Walmart, in an amount that will reasonably compensate her for the injuries and damages that she sustained, for the costs of this action and for all other just and proper relief in the premises and for trial by jury.

## COUNT II

Plaintiffs, Patricia Daniels and Larry Daniels for their second claim for relief state:

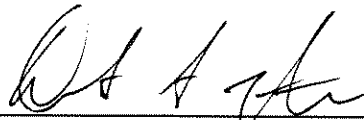
1. Plaintiff, Larry Daniels, realleges rhetorical paragraphs 1 through and

including 6 of Count I of this Complaint for Damages as if fully set forth herein and by reference makes them a part of this Count II.

2. At all times material to the allegations of this Complaint, he was the spouse of Plaintiff, Patricia Daniels.

3. As a responsible result of the carelessness and negligence of the Defendant, Walmart, he lost the services and consortium of his spouse.

WHEREFORE, Plaintiff, Larry Daniels, demands judgment against Defendant, Walmart, in an amount that will reasonably compensate him for the injuries and damages sustained, for the costs of this action and for all other just and proper relief in the premises and for trial by jury.



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